

REMARKS

Claims 1-22 are currently pending in the subject application and are presently under consideration. In the Final Office Action of July 7, 2008, all claims were rejected. In the present response, Applicants amend claims 4, 5, 14, and 15 and traverse the rejections as follows.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to the Specification

The specification was objected to because of the phrase “Related processes are also disclosed” in the abstract. Applicants’ response to Office Action, filed April 9, 2008, has addressed this objection by deleting the aforementioned phrase from the abstract.

II. Objection to Claims 5 and 15

Claims 5 and 15 are objected to because of the following informalities: The subject claims are allegedly ambiguous with regards to “the other node”. Applicant has amended claims 4, 5, 14, and 15 to resolve this issue by replacing “another node” with -- a second node--.

III. Rejection of Claims 1-22 Under 35 U.S.C. §102(e)

Claims 1-22 stand rejected under 35 U.S.C. §102(e) as being anticipated by Johansson et al. (US 7,058,050 B2).). It was alleged that Johansson et al teaches all of the elements of Applicants’ claimed subject matter. Applicant respectfully disagrees.

It was alleged that Johansson et al. teaches “a controller configured to *automatically and repeatedly* cause the network node to *cycle back and forth between transmitting* information on a network with the transmitter *and receiving* information with the receiver from the network, *wherein the lengths of at least some of the transmissions and/or receptions vary in accordance with a pre-determined pattern*” in column 17, line 43 to column 18, line 20. Alternatively, it was alleged that Johansson et al. “explicitly” teaches this feature in column 4, lines 45-60.

Regarding column 17, line 43 to column 18, line 20, this section of the Johansson specification teaches the “time point” method for providing inter-piconet communications. The time point method defines a single point in time, time slot, or time interval where communications may start, without defining the exact length of the communication window.

(Johansson et al., column 17, lines 46-51) The time point may be periodically repeated.

However, this is not the same as ***automatically and repeatedly transmitting and then receiving*** information from a network, as recited in all of Applicants' independent claims. The system described by Johansson et al. defines a predetermined point in time to initiate communications, and the predefined point in time may be periodically repeated (for example, a predetermined time slot in a Bluetooth protocol). However, it is the ***time point*** that is periodically repeated, not an automatic repetition between transmitting and receiving modes. There is absolutely no teaching or suggestion that each transmission is followed by a reception of data. Based on this analysis alone, the rejection to independent claims 1, 11, 21, and 22 should be withdrawn.

It was further alleged that Johansson et al. teaches the feature of ***automatically and repeatedly transmitting and then receiving*** information in column 4, lines 45-60. This section of Johansson et al. teaches a mobile terminal that can belong to two piconets simultaneously. It further teaches that such a mobile terminal can only transmit or receive data in one piconet at a time. Thus, such a mobile terminal may alternate between communicating in one piconet and then the other. However, this is not the same thing as automatically and repeatedly transmitting and then receiving information.

It was further alleged that "The time point method defines a single point in time, time slot or time interval, which are used for information exchange on a per window basis (for example a period for recurring communication session, see col 17 lines 5-15). Thus if a communication session is initiated using a fixed time interval between two nodes of interest, the session cycles after each time interval to transmit its information in the next interval. One skilled in the art will appreciate a "communication session" constitutes both transmission and reception within a network accordingly. Thus even an acknowledgement from the receiver back to the transmitter would constitute a communications session of cyclic transmission and reception (col 4 lines 12-16) of data or information." (Final Office Action, page 5 last paragraph to page 6, first paragraph). Applicants agree that the time point method defines a single point in time, time slot or time interval, which are used for information exchange on a per window basis. Applicants further agree that when a communication session is initiated, the session cycles after each time interval to *transmit* its information in the next interval. Note, however, that the time point method does not *require* that a transmit cycle be followed by a receive cycle. Finally, Applicants generally agree that a communication session constitutes both transmission and reception and

that an acknowledgement may constitute such a communication “session”. However, there is no teaching or suggestion in Johansson et al. that acknowledgements are received after each and every transmission of information or that this cycle is repeated infinitum.

Applicants again insists that Johansson et al. fails to teach each and every element of Applicants’ claimed subject matter and respectfully request that the rejections be withdrawn.

It was further alleged that Johansson et al. teaches “wherein the lengths of at least some of the transmissions and/or receptions vary in accordance with a pre-determined pattern” as recited in Applicants’ independent claims. It was alleged that Johansson et al. teaches this feature in column 7, lines 1-4 as “different pattern schemes can be used, col. 7 lines 1-4, including a fixed time period scheme and therefore a pre-determined pattern” (Final Office Action, page 3, second paragraph). Applicants do not believe that this section from Johansson et al. teaches or suggests the feature in question. The recited feature from Applicants’ claims requires that the lengths of transmissions and/or receptions *vary* in accordance with a *pre-determined pattern*. It has been alleged that a fixed time period scheme is one type of pre-determined pattern that can be used. Applicants agree. However, the language of Applicants’ independent claims requires that the lengths of the transmission/reception windows *vary* and therefore, Johansson et al. fails to teach or suggest this feature. Johansson et al. does teach “flexible window lengths”, however, as pointed out in a previous response to Office Action dated April 9, 2008, the window lengths do not vary depending on a pre-determined pattern, but by “factors relating to the communication system”:

“The above cited passage from Johansson et al. fails to teach that either transmissions or receptions vary in accordance with a pre-determined pattern. Johansson et al. only teaches that the communication session window length is *flexible* and that it may be based on one or more factors relating to the performance of the communication system. Rather than being pre-determined, the length of the time window taught by Johansson et al. varies in accordance to factors that ***cannot be pre-determined***, as it cannot be predetermined how many piconets might be connected to a JUMP node at any time or the amount of traffic being communicated through the JUMP node.

Thus, Applicants assert that Johansson et al. fails to teach or suggest that the lengths of at least some of the transmissions and/or receptions vary in accordance with a pre-determined pattern. Again, and on this basis alone, Applicants believe that the rejection to claims 1, 11, 21, and 22 should be withdrawn and that any claims depending therefrom should likewise be withdrawn as being dependent upon an allowable claim.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [QUALP839US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731